

**To:** Cora, Lori[Cora.Lori@epa.gov]; Stephanie Ebright  
(EBRIGHT.STEPHANIE@EPA.GOV)[EBRIGHT.STEPHANIE@EPA.GOV]; Cami Grandinetti  
(Grandinetti.Cami@epa.gov)[Grandinetti.Cami@epa.gov]  
**From:** Zhen, Davis  
**Sent:** Tue 5/31/2016 2:46:20 PM  
**Subject:** ODEQ's response to waive review of FS and PP

Cami, Lori and Stephanie,

## Attorney Client / Ex. 5

Thanks,

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-----Original Message-----

From: PARRETT Kevin [mailto:Parrett.Kevin@deq.state.or.us]  
Sent: Sunday, May 29, 2016 9:13 AM  
To: Zhen, Davis <Zhen.Davis@epa.gov>  
Subject: Draft Language

Hi Davis. Gary provided input on the draft language and suggested a few changes. How does this look to you?

Thank you for the good conversations for the past couple of days on DEQ's role as the support agency in reviewing the final drafts of documents leading to the release of the Proposed Plan. In light of the state's involvement and coordination to date, and in an effort not to delay the release of the Feasibility Study and the Proposed Plan, it is EPA's understanding that ODEQ does not wish to review and comment on the Portland Harbor Feasibility Study and Proposed Plan, as provide by the National Contingency Plan at 40 CFR 300.515(e) & (h), at this time. Rather, ODEQ will review the documents and provide comments during the public comment period. Please confirm whether our understanding is correct.

My response to your email will mention that DEQ reviewed and commented on the draft FS, provided comments to the NRRB, has been working with EPA on a number of key issues and looks forward to reviewing the PP during the public comment period. Gary did raise the question of the NCP requirement that the PP include a statement that the Lead and Support agencies have reached agreement on the proposed alternative. When I asked Cami about this in early December she said that this statement would not be necessary, which will need to be the case since DEQ will not be making this determination until we decide whether to concur on the ROD later this fall.

-Kevin